

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

RONALD TRIEBWASSER, Individual,  
MY HOME ADDRESS, INC., and  
RONALD TRIEBWASSER, President,

Plaintiffs,

v.

SECURITY STATE BANK, and  
JAMES DAUGHERTY, Individual,

Defendants.

CASE NO. 8:11CV306

MEMORANDUM  
AND ORDER

This matter is before the court on Plaintiffs' Notice of Dismissal, which the court liberally construes as a Motion for Voluntary Dismissal, filed pursuant to [Federal Rule of Civil Procedure 41](#). (Filing No. [9](#).) In their Notice, Plaintiffs seek dismissal of the Complaint without prejudice. (*Id.*) Defendants have not yet filed answers or other responsive pleadings, and the court finds that voluntary dismissal is warranted under the circumstances.

IT IS THEREFORE ORDERED that:

1. Plaintiffs' Notice of Dismissal, construed as a Motion for Voluntary Dismissal, (Filing No. [9](#)) is granted. Plaintiffs' claims are dismissed without prejudice; and
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 3<sup>rd</sup> day of October, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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